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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

In re:	Case No. 24-19490-MEH
Anthony Mormando,	Chapter 13
Debtor.	Hearing Date: December 10, 2024 at 9 a.m.
	Judge: Mark E. Hall

**LIMITED RESPONSE TO DEBTOR'S MOTION FOR ORDER AUTHORIZING SALE  
OF DEBTOR'S INTEREST IN REAL PROPERTY AND ALLOWANCE OF PAYMENT  
TO PROFESSIONALS AT CLOSING**

Bank of New York Mellon f/k/a the Bank of New York as Trustee for Nationstar Home Equity Loan Trust 2007-FRE1 ("Secured Creditor"), by its counsel, McCalla Raymer Leibert Pierce, LLC, hereby files its Limited Response to Debtor's Motion for Order Authorizing Sale of Debtor's Interest in Real Property and Allowance of Payment to Professionals at Closing (the "Motion") (ECF 19) and, in support thereof, state as follows:

1. Debtor Anthony Mormando (the "Debtor") filed the instant Chapter 13 Petition on September 25, 2024 (the "Petition Date").
2. Secured Creditor holds a perfected security interest in the Debtors' real property commonly known as 18 Chesapeake Road, Manalapan, New Jersey 07726 (the "Property") by virtue of a Mortgage in the principal amount of \$384,000.00, dated December 21, 2006, and recorded in the Office of the Clerk/Register of Deeds for Monmouth County on January 12, 2007 in Book OR-8622, at Page 9521 (the "Mortgage").
3. On November 7, 2024, Secured Creditor timely filed its Proof of Claim (See Claim No. 9-1). The Proof of Claim reflects that as of the Petition Date, Secured Creditor held a

secured claim in the amount of \$421,595.35, with pre-petition arrears in the amount of \$7,811.29.

4. On November 8, 2024, Debtor filed the instant Motion, seeking the Court's approval to sell the Property for \$775,000.00 (the "Proposed Sale Price").

5. As of November 11, 2024, the estimated payoff on Secured Creditor's lien is \$425,556.50. NOTE: this amount cannot be relied upon as a payoff of Secured Creditor's lien and seller must request an updated payoff prior to closing.

6. Secured Creditor has no objection to the proposed sale of the Property provided that Secured Creditor's lien attaches to the proceeds of the sale, and provided that the proceeds from the proposed sale are sufficient to (a) pay Secured Creditor's loan in full, which is due and owing as of the closing on the Property with all subsequent fees and interest due thereupon, or (b) as otherwise agreed in writing by Secured Creditor.

7. Additionally, the balance of what is due and owing as of the date of closing must be paid at closing from the proceeds of the sale of the Property. If less than the full amount is to be tendered at closing, such short sale is subject to Secured Creditor's review and approval.

8. Furthermore, Secured Creditor requests that the any Order granting Debtors' motion contain a provision stating that failure to complete any sale within ninety (90) days of the entry of said Order will result in the Order Approving Sale to be deemed moot.

9. Secured Creditor reserves the right to supplement this response at or prior to any hearing on this matter.

WHEREFORE, Secured Creditor respectfully requests enter of an order in compliance with the above conditions and for such other relief as the Court deems just and proper.

Dated: November 12, 2024

McCalla Raymer Leibert Pierce, LLC  
Attorneys for Bank of New York Mellon f/k/a  
the Bank of New York as Trustee for Nationstar  
Home Equity Loan Trust 2007-FRE1

/s/Laura Egerman  
By: Laura M. Egerman, Esq.

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Debtor.	Judge: Mark E. Hall

**CERTIFICATION OF SERVICE**

1. I, LaRissia Johnson:

- ☐ represent the \_\_\_\_\_ in the above-captioned matter.
- ☒ am the secretary/paralegal for McCalla Raymer Leibert Pierce, LLC who represents the Secured Creditor.
- ☐ am the \_\_\_\_\_ in the above case and am representing myself.

2. On November 12, 2024, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below:

**LIMITED RESPONSE TO DEBTORS' MOTION FOR ORDER AUTHORIZING SALE OF DEBTOR'S INTEREST IN REAL PROPERTY AND ALLOWANCE OF PAYMENT TO PROFESSIONALS AT CLOSING**

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

11/12/2024

Date

/s/ LaRissia Johnson

Signature

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Albert Russo Standing Chapter 13 Trustee CN 4853 Trenton, NJ 08650-4853	Chapter 13 Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Name of Electronic Filing (NEF) <input type="checkbox"/> Other NEF, per D.N.J. LBR 5005-1(as authorized by court or by rule. Cite the rule if applicable*)
Anthony Mormando 18 Chesapeake Road Manalapan, NJ 07726	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Name of Electronic Filing (NEF) <input type="checkbox"/> Other NEF, per D.N.J. LBR 5005-1(as authorized by court or by rule. Cite the rule if applicable*)
Robert H. Johnson Robert H. Johnson, LLC 1818 Old Cuthbert Road Suite 107 Cherry Hill, NJ 08034	Debtors' Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Name of Electronic Filing (NEF) <input type="checkbox"/> Other NEF, per D.N.J. LBR 5005-1(as authorized by court or by rule. Cite the rule if applicable*)
U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other: NEF, per D.N.J. LBR 5005-1(as authorized by court or by rule. Cite the rule if applicable*)

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.